



## 94TH GENERAL ASSEMBLY

### State of Illinois

#### 2005 and 2006

##### HB2427

Introduced 2/17/2005, by Rep. Jay C. Hoffman

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/7-109.3

from Ch. 108 1/2, par. 7-109.3

40 ILCS 5/7-142.1

from Ch. 108 1/2, par. 7-142.1

Amends the IMRF Article of the Illinois Pension Code. Makes county probation officers eligible for the sheriff's law enforcement employee (SLEP) formula; requires an affirmative resolution of the employer. Allows these probation officers to convert non-SLEP service as a probation officer into SLEP credit by paying the difference in employee contributions plus interest; waives the interest if payment is made within one year; requires an affirmative resolution by the employer. Effective immediately.

LRB094 08079 AMC 38263 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing  
5 Sections 7-109.3 and 7-142.1 as follows:

6 (40 ILCS 5/7-109.3) (from Ch. 108 1/2, par. 7-109.3)

7 Sec. 7-109.3. "Sheriff's Law Enforcement Employees".

8 (a) "Sheriff's law enforcement employee" or "SLEP" means:

9 (1) A county sheriff and all deputies, other than  
10 special deputies, employed on a full time basis in the  
11 office of the sheriff.

12 (2) A person who has elected to participate in this  
13 Fund under Section 3-109.1 of this Code, and who is  
14 employed by a participating municipality to perform police  
15 duties.

16 (3) A law enforcement officer employed on a full time  
17 basis by a Forest Preserve District, provided that such  
18 officer shall be deemed a "sheriff's law enforcement  
19 employee" for the purposes of this Article, and service in  
20 that capacity shall be deemed to be service as a sheriff's  
21 law enforcement employee, only if the board of  
22 commissioners of the District have so elected by adoption  
23 of an affirmative resolution. Such election, once made, may  
24 not be rescinded.

25 (4) A person not eligible to participate in a fund  
26 established under Article 3 of this Code who is employed on  
27 a full-time basis by a participating municipality or  
28 participating instrumentality to perform police duties at  
29 an airport, but only if the governing authority of the  
30 employer has approved sheriff's law enforcement employee  
31 status for its airport police employees by adoption of an  
32 affirmative resolution. Such approval, once given, may not

1 be rescinded.

2 (5) A person who participates in the Fund and is  
3 employed by a participating municipality as a county  
4 probation officer, but only if the governing authority of  
5 the employer has approved sheriff's law enforcement  
6 employee status for its county probation officer employees  
7 by adoption of an affirmative resolution. Such approval,  
8 once given, may not be rescinded.

9 (b) An employee who is a sheriff's law enforcement employee  
10 and is granted military leave or authorized leave of absence  
11 shall receive service credit in that capacity. Sheriff's law  
12 enforcement employees shall not be entitled to out-of-State  
13 service credit under Section 7-139.

14 (Source: P.A. 92-16, eff. 6-28-01.)

15 (40 ILCS 5/7-142.1) (from Ch. 108 1/2, par. 7-142.1)

16 Sec. 7-142.1. Sheriff's law enforcement employees.

17 (a) In lieu of the retirement annuity provided by  
18 subparagraph 1 of paragraph (a) of Section 7-142: Any sheriff's  
19 law enforcement employee who has 20 or more years of service in  
20 that capacity and who terminates service prior to January 1,  
21 1988 shall be entitled at his option to receive a monthly  
22 retirement annuity for his service as a sheriff's law  
23 enforcement employee computed by multiplying 2% for each year  
24 of such service up to 10 years, 2 1/4% for each year of such  
25 service above 10 years and up to 20 years, and 2 1/2% for each  
26 year of such service above 20 years, by his annual final rate  
27 of earnings and dividing by 12. Any sheriff's law enforcement  
28 employee who has 20 or more years of service in that capacity  
29 and who terminates service on or after January 1, 1988 shall be  
30 entitled at his option to receive a monthly retirement annuity  
31 for his service as a sheriff's law enforcement employee  
32 computed by multiplying 2.5% for each year of such service up  
33 to 20 years, 2% for each year of such service above 20 years  
34 and up to 30 years, and 1% for each year of such service above  
35 30 years, by his annual final rate of earnings and dividing by

1 12.

2 If a sheriff's law enforcement employee has service in any  
3 other capacity, his retirement annuity for service as a  
4 sheriff's law enforcement employee may be computed under this  
5 Section and the retirement annuity for his other service under  
6 Section 7-142.

7 In no case shall the total monthly retirement annuity  
8 exceed 75% of the monthly final rate of earnings.

9 (b) Whenever continued group insurance coverage is elected  
10 in accordance with the provisions of Section 367h of the  
11 Illinois Insurance Code, as now or hereafter amended, the total  
12 monthly premium for such continued group insurance coverage or  
13 such portion thereof as is not paid by the municipality shall,  
14 upon request of the person electing such continued group  
15 insurance coverage, be deducted from any monthly pension  
16 benefit otherwise payable to such person pursuant to this  
17 Section, to be remitted by the Fund to the insurance company or  
18 other entity providing the group insurance coverage.

19 (c) A sheriff's law enforcement employee who is employed as  
20 a county probation officer may convert his or her non-SLEP  
21 service credits for previous employment as a county probation  
22 officer into service as a sheriff's law enforcement employee by  
23 paying to the Fund an amount equal to the additional  
24 contribution required under Section 7-173.1, plus interest at  
25 the prescribed rate from the date of the service to the date of  
26 payment. The interest is waived if payment is made to the Fund  
27 within one year of the date that the applicant becomes a  
28 sheriff's law enforcement employee based on employment as a  
29 county probation officer. Conversion of credit under this  
30 subsection is available only if the governing authority of the  
31 employer has approved conversion of prior service for its  
32 county probation officer employees by adoption of an  
33 affirmative resolution. This approval, once given, may not be  
34 rescinded.

35 (Source: P.A. 85-941.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.